

REMARKS

This Response is submitted in reply to the Office Action dated December 6, 2005, issued in connection with the above-identified application. Claims 9-16 are presently pending in the application. No amendments have been made to the claims and, thus, no new matter has been introduced. Accordingly, entry and favorable reconsideration are respectfully requested.

I. Response To Claim Rejections

Claims 9-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wizgall et al. (US Patent 5,630,209, hereafter "Wizgell") in view of Hoirup et al. (US Patent 6,397,054, hereafter "Hoirup"). The Applicant respectfully traverses the above rejections for the following reasons.

In the Office Action, the Examiner maintains the previous rejections to claims 9-16 over Wizgall in view of Hoirup. In particular, the Examiner relies on Hoirup for teaching or suggesting a novel feature of the present invention as recited in independent claims 9, 15 and 16. More specifically, "a connection only being established from a mobile station in disaster area to a destination called by the mobile station if the mobile station requesting the connection establishment communicates a sequence." The Applicant respectfully maintains that there is no motivation to combine the cited references and even if the combination is made, the combination does not teach or suggest the above feature.

Although, the Examiner concedes that Wizgell does not teach or suggest the above feature, it is important to consider what is taught. Wizgall teaches or suggests that device ER1 includes a card reader that reads from a memory card emergency data to be transmitted. The emergency data includes information such as a name, address, insurance information, age, blood type and the like. Thus, the emergency data read from the memory card is meant only for transmission, not for requesting a call connection. Additionally, emergency data (i.e., personal data) is transmitted, not the claimed sequence. To this end, not only does Wizgell not teach or suggest the claimed feature (as correctly noted by the Examiner), but the reference actually teaches away. Therefore, there is no motivation or suggestion in Wizgell to combine its teachings with Hoirup and arrive at the present invention.

Moreover, even if the combination is made, Hoirup does not overcome the deficiencies noted above in Wizgell to render obvious any claims of the present invention. In particular, the Applicant respectfully maintains that Hoirup fails to teach or suggest “a connection only being established from a mobile station in a disaster area to a destination called by the mobile station if the mobile station requesting the connection establishment communicates a sequence.” Instead, Hoirup teaches or suggests an emergency calling procedure for a GSM-based system that does not include the use of a sequence, as claimed. In Fig. 1, an emergency calling procedure is initiated from a mobile station by transmitting a CHANNEL REQUEST message to the cellular or satellite network. In response to the CHANNEL REQUEST, the network sends an IMMEDIATE ASSIGNMENT message to the mobile station, directing it to a dedicated control channel on which a call setup can proceed (col. 2, lines 17-39). Accordingly, Hoirup teaches that the request is the first message exchanged in the displayed message flow, and as such, cannot contain a sequence that was transmitted before the request.

Therefore, neither Wizgell nor Hoirup teach or suggest that a sequence is used in connection with a connection establishment request. Therefore, even if it were proper to combine their teachings, the combination still would not include all the features recited in independent claims 9, 15 and 16.

Independent claims 9, 15 and 16 are clearly distinguishable over the cited prior art for at least the reasons noted above. Likewise, dependent claims 10-14 are also clearly distinguishable over the cited prior art at least based on their dependency from independent claim 9.

II. Request For Interview

To expedite prosecution, the Applicant request an interview between the Examiner and the Applicant's representative to discuss the distinguishable features of the present invention in more detail. Therefore, unless this Response places the application in condition for allowance, please contact the undersigned to schedule an interview.

III. Conclusion

In light of the above, the Applicant respectfully submits that claims 9-16 are both novel and non-obvious over the art of record. The Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Commissioner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (0112740-1017) on the account statement.

Respectfully submitted,

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